

**2nd AMENDED NOTICE OF INTENT TO AWARD CONTRACT
ALBANY-KIELY STORM DRAIN IMPROVEMENT, PHASE V-VI**

July 29, 2009

CPMS Project ID: 4172

Dear Bidders,

This email is to inform you that the Director of Public Works intends to recommend that the City Council award this project to the lowest responsive bidder, Rodan Builders, Inc.

On June 11, 2009, the City of San Jose opened bids for the above referenced project. Bid results for this project are available on the City's Bid Hotline at:
<https://cpms.sanjoseca.gov/pub/bidhotline/contracts/bidresults.cfm>

The City received a bid protest after the initial Notification of Intent to Award was posted on June 29, 2009. On July 10, 2009, the City sent an amended email notification advising bidders of the City's decision to recommend the award of the project to the apparent low bidder, McGuire and Hester. Staff has reevaluated Rodan Builders, Inc.'s bid and determined the bid protest to be without merit. Accordingly, the Director of Public Works intends to recommend that the City Council award the contract to the lowest responsive and responsible bidder, Rodan Builders, Inc. on September 1, 2009.

A complete analysis and evaluation of the bid results and protests will be made available on the City Council Agenda website approximately two weeks prior to the City Council meeting. Any communication from the bidders regarding concerns with the recommended award action may be addressed to the City Council at the Council meeting on September 1st.

The City of San Jose appreciates your interest and effort in preparing and submitting a bid for this project. If you have any questions about the bid process or the City's decision to award, please contact me at the number listed below.

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